

501 KAR 3:130. Prison programs; services.

RELATES TO: KRS 439.179, 441.055, 441.125, 532.100

STATUTORY AUTHORITY: KRS 196.035, 197.020, 441.055, 532.100(4)(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.055 requires the Department of Corrections to promulgate administrative regulations establishing minimum standards for jails that house state prisoners. This administrative regulation establishes procedures for prisoner programs and services in those jails.

Section 1. Work Programs. (1) Written policy and procedure shall provide that prisoner programs and services shall be available and include social services, religious services, recreation and leisure time activities, and library services.

(2) Sentenced prisoners who perform work as authorized by KRS 441.125 may receive rewards in the form of sentence reductions or other privileges, if granted by the proper authority.

(3) Written policy and procedure shall provide that unsentenced prisoners shall not be required to work except to do personal housekeeping.

Section 2. Education Programs. (1) The jail shall develop a policy and procedure that encourages the implementation of education programs in the jail. The utilization of community resources in these efforts shall also be encouraged to offset the costs of the programs.

(2) Education programs may be made available in accordance with KRS 439.179.

(3) State prisoners shall be provided the opportunity to attend adult basic education programs or to pursue a general educational development (GED) diploma.

Section 3. Library Services. If resources are available in the community, library services may be made available to all prisoners.

Section 4. Religious Programs. (1) Written policy and procedure shall ensure the constitutional rights of prisoners to voluntarily practice their own religious activities, subject to those limitations necessary to maintain the order and security of the jail.

(2) The jailer or designee shall ensure that an inmate has the opportunity to participate in practices of his religious faith in accordance with the Religion Reference Manual incorporated by reference in 501 KAR 6:080. For specific situations not addressed in the Religion Reference Manual, the jailer or designee may refer to department Policy and Procedure 23.1 incorporated by reference in 501 KAR 6:020.

(3) Inmate responsibilities.

(a) Upon entry into the correctional system, an inmate's religious preference shall be recorded on the inmate I.D. form.

(b) After three (3) months, an inmate may change his religious preference by contacting the jailer or designee.

(c) It shall be the inmate's responsibility to seek a job or program assignment that does not conflict with his religious beliefs and practices.

Section 5. Recreation Programs. (1) Written policy and procedure shall provide all prisoners with the opportunity to participate in at least one (1) hour of physical exercise per day with at least three (3) exercise periods per week outside the cell. There shall be available one (1) hour of outdoor recreation two (2) times per week if weather permits. Prisoners who pose a threat to the safety and security of the jail shall be denied outdoor recreation.

(2) Leisure time and recreation programs shall be scheduled to permit prisoners to partici-

pate in board games, arts and crafts, radio and television, or other activities designed to relieve idleness and boredom.

Section 6. Programs for State Prisoners. (1) State prisoners may be provided the opportunity to participate in work programs in accordance with KRS 441.125.

(2) Substance abuse programs. State prisoners shall be provided the opportunity to participate in self-help substance abuse programs offered within the jail. State prisoners who apply for treatment and are accepted by the Division of Mental Health, shall be allowed to participate in the substance abuse program (SAP), if space is available or may be housed in jails offering the program, if space is available. (9 Ky.R. 647; eff. 3-2-83; Am. 13 Ky.R. 692; eff. 11-11-86; 19 Ky.R. 1856; 2625; eff. 6-7-93; 27 Ky.R. 1863; 2435; eff. 3-19-2001; 29 Ky.R. 2760; 30 Ky.R. 24; eff. 7-13-03; 31 Ky.R. 1563; eff. 5-26-05; 34 Ky.R. 1188; 1966; eff. 3-7-2008; 37 Ky.R. 2961; 38 Ky.R. 578; eff.10-7-11.)